UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
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FERRIS JOSEPH, Plaintiff, -vs- CORPORATION OF THE PRESIDENT CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole; and CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF LATTER-DAY SAINTS, a Utah corporation sole, Defendants.	*	CIV. 06-4143 RULE 16 SCHEDULING ORDER

Counsel for the parties having held a planning meeting in compliance with F.R.Civ.P. 26(f), having submitted a report thereon, it is hereby

ORDERED that:

1. The Report of the Parties Planning Meeting is hereby approved and adopted by the court.

2. The parties shall have until November 17, 2006, to move to join additional parties and amend the pleadings.

3. All discovery, including expert discovery, shall be commenced in time to be completed by July 31, 2007, and a maximum of twenty-five (25) interrogatories, including subparts, by each party to any other party shall be allowed, and responses thereto shall be due thirty (30) days after service. Discovery responses must be supplemented as additional information becomes available, however, not later than sixty (60) days prior to trial.

4. Each party shall be permitted to take one deposition of each fact witness, excluding expert witness depositions.

5. Plaintiff shall disclose the identity of his expert witnesses and disclose the reports required under Rule 26(a)(2) by December 29, 2006; Defendants shall disclose the identity of their witnesses and his expert reports by March 16, 2007; any supplementation thereto under Rule 26(e) shall be due thirty (30) days prior to trial.

6. Each party shall be permitted to take one deposition of each designated expert witness.

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7. All motions, other than motions in limine, together with supporting briefs, shall be filed and served on or before September 14, 2007; opposing parties shall file and serve answering materials and briefs on or before October 4, 2007; and reply briefs shall be filed and served on or before October 15, 2007.

8. All motions not previously disposed of will be heard and a pretrial conference will be held on Monday, October 29, 2007, at 10:00 a.m.

9. A twelve person jury shall be seated. The parties should also be prepared to inform the court of their preference for either (a) drawing names of the jurors in the order each will be seated in the jury box the day before trial[1]; or (b) using the traditional method of selecting the jury immediately prior to voir dire. (Option (a) will be used only if both parties agree).

10. Final witness and exhibit lists under Rule 26(a)(3) shall be filed and served by Plaintiff and by Defendant ten (10) working days before trial, and the parties shall have five (5) days after service of such lists to file and serve objections thereto under Rule 26(a)(3).

11. All motions in limine, with supporting authority, shall be in writing and filed, together with proposed instructions, with supporting authority, with the court ten (10) working days before trial.

12. A jury trial will commence in Sioux Falls, South Dakota, on Monday, December 10, 2007, with counsel to be present for motions in limine at 9:00 a.m. and with the jury to report at 9:30 a.m.

13. If the parties desire the court's assistance in facilitating settlement discussions, the parties shall promptly contact the court so that a mediation or settlement conference with another magistrate judge may be scheduled.

14. The schedule herein may be modified by the Court upon a showing of good cause.

Dated this 2nd day of November, 2006.

BY THE COURT:

John E. Simko
United States Magistrate Judge

ATTEST:
JOSEPH HAAS, Clerk

By__________________, Deputy

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[1] Counsel for the parties may be present at the time the names are drawn, but attendance is not mandatory. This option is given for the benefit of counsel in preparation for jury selection. The jury list as drawn will be faxed to counsel as soon as possible after the drawing on the day before trial.